

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN R. BLUMATTE, a/k/a :
ROBERT ANGONA, a/k/a :
JOHN BLUE, :

Plaintiff, :

--against-- :

GERARD QUINN, DONALD ROGERS,
STEPHEN FARTHING, RANDOLPH LERNER, JR.,
DAVID LEVINSON, RUSSELL WILKINSON, EILEEN
GUGENHEIM, ROBERT BOLANDIAN,
CHRISTOPHER FORBES, MARGOT GORDON,
ROLAND GRYBAUSKAS, LUDWIG KUTTNER,
DOUGLAS OLIVER, DAVID SCHAFER,
DENNIS SMITH, THE GRADUATE SCHOOL OF
FIGURATIVE ART OF THE NEW YORK ACADEMY
OF ARTS and JEFFREY C. SLADE, :

Defendants. :

CONFIDENTIAL
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BY ELECTRONICALLY FILED
DOC #:
DATE FILED: 7-25-07

07 Civ. 2944 (JSR)

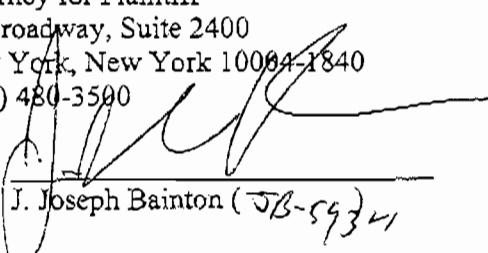
STIPULATION

STIPULATED AND AGREED that the only claims being asserted against defendants Gerard Quinn and Donald Rogers in Plaintiff's Amended Complaint arise under 42 U.S.C. 1983 and are predicated upon these Defendants alleged use of excessive force in violation of Plaintiff's rights arising under the Fourth and Fifth Amendments to the Constitution of the United States; and it is further

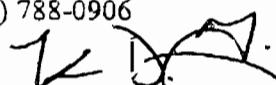
STIPULATED AND AGREED that no claim for false arrest is being asserted against either of these two Defendants.

Dated: New York, New York
_____, 2007

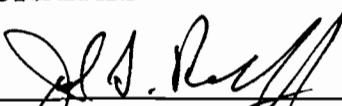
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By: 
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(212) 788-0906

By: 
Shawn D. Fabian (SF4606)
Assistant Corporation Counsel

SO ORDERED:


HON. JED S. RAKOFF, U.S.D.J.

7-24-07